Previous references.

191
(Sep Rev)

File No. 9-89
Serial Nos. 1-7

Later references.

(48)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

Major ~~Part~~ B. for April 91.

SUBJECT

Introduction of the foreign liquor Rules in force in Mysore into C & M station. Bangalore

1. From The Ex. Commr. D. $\frac{4980}{586}$. No $\frac{1169}{45}$ dt 12. 9. 89
Forwards letter addressed to the ~~Dewan~~ Resident re- the introduction of the new rules for the vend of foreign spirituous liquors in the C & M Station and requests, that, if the Dewan sees no objection it may be transmitted to the addressee.

2. To ——— Do ——— No $\frac{7909}{913}$ dt 29. 9. 90.
Requests to consider the question in all its details and to submit a further report explaining the difference between the Rules now in force and those in force in other parts of Mysore

G. R. S./56
GPB—4,000—4-7-11

3. From ——— Do ———
Dy No $\frac{9096}{1617}$. No $\frac{8276}{483}$ dt 25-12-90.

Recommends the introduction of new rules with the C & M Station regulating the sale of foreign liquors.

4 From. The F. A. Resident-

D. 9553/697. No 197/296.9 dt 26-1-91

Forwards copy of letter from messrs Spencer and Co. re- the general order issued by the Excise Asst Comm. prohibiting traders in the province from selling any brandy liquor and requests to have the opinion of the Darbaron the points raised

5. To. The Excise Comm. No 1165/1533 dt 22-1-91

Forwards the above for favour of early report.

6. From ——— To ———

Dy No 1439/2043. No 3786/229. dt 10-3-91

Expresses his opinion with regard to the sale of foreign liquors in Mysore

7. To the Asst Resident & ~~The Ex Comm~~

No 144/4, ~~145~~/15 dt 3-4-91

Requests to place before the Resident the desirability of the licence rules & forms, in force in Mysore being adopted for the C & M Station. Bd any a Copy.

No. 145/15 dt 3.4.91. To the Ex. Comt.
Forwards copy of the above.
Received
N Hammond the Nov

SECTION S. R.

FILE No. 9-89

SERIAL No.

Note

Attention is invited to order dated 7th Feb S. 91 on letter No 3276-183 of the 25th Dec 1890, from the Excise Comr.

Before addressing the Asst Resident on the subject, I beg to submit for consideration whether it would not be desirable first to settle the question raised in his letter No 197/296.9 dated 20/1/91, regarding the prohibition on present license rules of the vend of any brand excepting those expressly named in the licenses & such others as Dists are empowered to add under Comr No II to each of the licenses (Please see pages 65, 66, 70, 71, 75, 76, 80 & 81 of the Excise Manual).

Our present license form & rules hold good & I believe the Dewan wishes to retain the same hands. Let the Dists present be appointed accordingly.

10/2/91

The question has been referred × to Excise Comr for favor of opinion & his reply has not yet come. In his present letter, viz, No 3276-183, he seems to take Objection to the license rules in their present shape & to be in favor of amending them. A more definite expression of his views may perhaps, be obtained from his reply on our Office No noted on the margin.

Submitted for orders.

P S K
10/2/91

× on Office No 11657 & 22/1/91. 1533

Reply from Excise Comr to our No 11657/1533 & 22/1/91, to be awaited.

To this effect the Under Secy after personal interview with the Chief Secy gave orders - Reply having been received, a draft put up for approval on the general question as was mentioned in reply to Asst Resident's letter No 197-296.9 & 20/1/91

P S K 21/3/91

SECTION

FILE No. 9

SER'AL No. 1

General Serial No. 30.)

188

EXCISE COMMISSIONER'S OFFICE
BANGALORE.
No.
DATED

OFFICE OF THE
25 SEP 89
COMMISSIONER

The Exc... in Mysore

The Chief Secretary
to the Government
of Mysore

Dated 12th September 189
Despatched 20th
Received

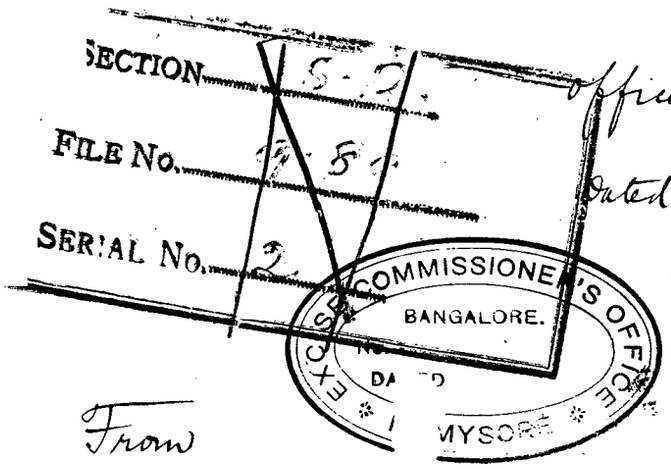
Enclosures No. 1 & Enclosures

General No. 1169
No. 45

I have the honor to forward
a letter addressed to the
Foreign Office to the Resident
in Mysore relative to the
introduction of the new
Rules for the Vend of Foreign
Spirituous and fermented
Liquors in the Civil and
Military Station of
Bangalore, and to request
that, if the Durbar sees no
objection, it may be transmitted to the Addressee

Colonel
Excise Commissioner
in Mysore

Under
I think that this letter
has now been delivered
to Mr. Measure upon
Yesterday and returned
upon me to the Office
Dated 15 Sept 90



(2)

Office of the Excise Commissioner in Mysore

Dated Bangalore 9th September 1879.

From

The Excise Commissioner
in Mysore

To

The Assistant
to the Resident
in Mysore

No. 1171/77

Sir,

I have the honor to enclose copy of the Rules and License Forms framed by the Mysore Government, relating to the vend (Whole Sale and Retail) of Foreign spirituous and fermented liquors, and to solicit that the Resident may be moved to authorize the introduction of the same within the limits of the Civil and Military Station of Bangalore.

2. Mr Mc Donnell, assistant Commissioner, abkari and Excise, has personally discussed the

the matter both with Sir Harry Prendergast and Sir Oliver St Jhon, and at ——— Mr Collins request drew up a note on the subject, copy of which I enclose for ready reference marked A.

3. The result of a further conference with Mr Smith and Mr Hewetson, when the latter was acting as collector, was the submission of draft forms of licenses, which however will not be found so suitable as those which have been lately passed by the Mysore Government.

4. I would suggest that a Committee composed of the Collector, the Superintendent of Police, Mr Mc Donnell and Mr Smith, should meet at an early date, to decide what course should be adopted to protect the Revenue derivable from the sale of genuine Foreign spirits, from attempts to place in the market and in their stead, country spirits disguised by counter-feit foreign labels.

This.

This desirable object can, I conceive, be completely attained only by obtaining the Supplies of Foreign Spirit needed for consumption in Mysore, by direct importation from foreign manufactures, without the intervention of Indian Firms.

How this can be conveniently done, would be a matter for the consideration of the proposed committee.

I have the honor to be
sir
your most obedient Servant

[signature] Colonel

Excise Commissioner

Enclosure to 9.

Notes by Mr. J.G. McDonell Special Assistant Commissioner, Abkari and Excise in Mysore, on the frauds perpetrated on the Excise Revenue under cover of Foreign Liquor Licenses. —

---

1. My attention has been, for some time directed to the working of the Excise Laws in Madras for the trend of "Foreign Spirituous and Fermented" liquors - "Country Liquor" and "Country-made" beer "have been classed in the same category as "Foreign Spirituous and Fermented liquors" - provided the duty laid down in the Indian Tariff Act, is paid therefor.

2. One Madras firm of distillers asked to allow the Country Spirits made in the Madras Presidency to be imported into Mysore and sold in shops licensed to sell "Foreign Spirituous and Fermented liquors" here, and desired that the Mysore licenses may be altered to allow of this being done. This proposal was negatived by the Mysore Government, as such Spirits being made in India, were liable to pay duty of Excise, on import into Mysore and if this concession were granted, it would

would interfere with the right of the monopolist, who paid a very heavy sum, - Rs. 11,23,000 in 1887-88, for the exclusive privilege of the manufacture, and Whole Sale Vend of such Country Spirits in Mysore. -

3. To facilitate the sale of Mysore country-made Spirits, the Mysore Government and the British Resident under Section 3 of the Excise Act defined "double distilled Spirits" made in Mysore to be "Foreign Spirits". The sale of such Spirits was thus allowed in Shops licensed to sell "Foreign Spiri= =tuous and fermented liquors" without the payment of any additional or second Fee in this behalf.

4. Jamaica, Colombo and Batavia Spirits were also declared to be "Country Spirits" in both tracts.

5. In instituting enquiries as to the Small sales of the Mysore double distilled Spirits, I was informed that Madras Spirits were openly brought with and without passes bottled, and in drums, and casks and sold in Shops licensed to sell "Foreign Spirituous liquors. In several cases the liquors covered by passes were impounded and duty recovered thereon. The fraud can be

be committed with impunity and detec-
-tion or conviction is a matter utterly
impracticable. This will appear self-evident
from the following information which
I have gleaned during the course of my
enquiry.

I. As country Spirits made in the
Madras Presidency paying the duty of
Excise under the Indian Tariff Act
are virtually "Foreign Spirits," such
Spirits are now taken into shops &c
licensed in Madras and bottled and
sold there. It is thus very easy to pass
this liquor on into Mysore from such
Foreign liquor shops especially as it
has paid the duty and is classed as
"Foreign Liquor" in Madras. I have
shown you the advertisement from the
Proprietors of the Ramipett Distillery,
Madras Presidency, offering for sale
such Spirits as Brandy, Whisky, Gin,
Rum &c. These Spirits are also imported
and sold here as "Spirits of wine" and
"Methylated Spirits". This is openly done
by several firms in Bangalore.--

II. Another Madras firm, has
openly advertised labels of a number
of varieties which are specious imitations
if they are not actually those, under
which many of the genuine Foreign
Spirits were sold before the Madras

Local

Local laws were introduced. I have obtained samples of some of those labels and found both here and at Mysore that they covered liquors which did not appear certainly to be the genuine im= =portations from Europe. These Country Spirits by the use of essences &c. cover the fraud so effectually, that information cannot be sworn against the importers, and coming as they do through shops licensed to sell "Foreign Liquors", the verification of the fraud is rendered impracticable.

III

To make assurance doubly certain, I took another step to convince me of the depth and magnitude of this fraud. I came to learn that casks of this liquor were sent into Mysore. The casks were those used originally when such spirits were sent from Europe, and often drums of those spirits were sent into Mysore from the Madras Shop-keepers, and bottled here. In one case I induced a firm here to take the distilled liquor from the Mysore Government Distillery, and eventually called on him to see the result. He had colored, bottled, capsuled and labelled this Mysore liquor in imitation of the genuine Foreign article. This firm told me that they

Some

some years ago did a thriving trade in this line, but the Madras firms have now spoilt their trade. I have shown yourself and the Resident two of those samples. The Bombay firms have followed in the wake of those in Madras in this matter.

6. Under these circumstances, I saw the late Resident and laid the matter before him with the following suggestions.

I. That under Section 30 of the Excise Act, it should be defined what particulars and well-known "Foreign Spirituous and fermented liquors" should be classed as such for sale in Mysore shops, and a list thereof notified and also attached to the License. The sale of any other Spirits or fermented liquors besides those on this list and noted in the Licenses, was to be considered not foreign but "Country liquors," and as such, amenable to duty of Excise when imported.—

II (a) The monopoly of the whole sale trade be given to the Arrack Contractors who would thus become the sole agents for the foreign importers into Mysore of these genuine brands, and in their own and in the interests of Government would be careful to see that the rights of all concerned would not be infringed. They would pay for this privilege to as

as to enable Government to engage a Government staff to enforce the License Rules. This protection by a monopoly is now practically effected as the manufacturers at home have actually selected Agents in India to sell their brands and place the same in the hands of Retail dealers, to whom a margin of profit per bottle is allowed; or (b) to allow the Agents of such firms in India to import such brands into Mysore and sell the same to the Retail dealers.

III. In either case (a) or (b) the original letter of advice to be given to the Head of the Excise Department here by the importer, and the consign=ment cleared out by an Excise officer delegated to the port of Receipt with the bill of lading and invoice in his hands, and to escort the consignment into Mysore at the importers' expense throughout.

7. Sir Harry Pendergast was opposed to the monopoly system advocated (a), but concurred generally in all the other proposals made, and directed me to see and Consult with the Collector, and frame and submit rules to give

practical

practical effect to these suggestions. I, with Mr. Smith, one of the Firm of Contractors, who holds the Mysore monopoly for vend of Country Spirits, and whose rights are thus violated Wholesale, Law Mr. Fewetson, the then officiating Collector, and after several hours' consultation and discussion, it was finally decided to generally adopt the suggestions made, and alter the licenses so as to define the bran[illegible], and to admit of effectual control and supervision by this Department over the liquors imported and sold, and to the reduction of the number of shops by 50 per cent in the station.

8. The Licenses were amended and sent up by me, but the Collector has taken no action in the matter, and the Licenses for this year have been issued without notice that the License Rules will be amended.

9. The Dewan Bahadur was also addressed in the matter, and the duplicates of the Licenses above framed for the station, were sent up by the Deputy Commissioner, Bangalore, I also called on the Dewan Bahadur with samples of the labels and liquors found in Bangalore and Mysore. The Dewan Bahadur gave the matter a most careful and searching investigation. The result has since been placed before Colonel Sir Olivier St. John and yourself.

10. The

The matter is one of the most vital importance to the Excise Revenue, and in the interests of the genuine Foreign Distillers, the arrack monopolist and the public who are also cheated whole sale, it is very desirable that this very daring and serious fraud on the Excise Revenue should be effectually stamped out.

11. It is utterly impossible for so many shopkeepers to do honest vending. They must resort to fraud to eke out a living, nay to preserve an existence at all. I would therefore advocate, in modification of the proposal in para 7 above, that in the station the number of Whole Sale Shop Licenses be reduced to about half-a-dozen in all, and the Retail Licenses to as many more, and all the others be cancelled. The fees now paid are too low; they should be raised to the amount fixed in Madras. This will bring the genuine trader to the front, and by reduction of shops proposed, he will be in a position to pay the higher fee and also do honest vending. Thus all the interests involved will be effectually protected.

12. I have personally gone into

into other details, but I may here add that for the supervision of this branch and of country beer, I will need an addition to my present small staff.

/Signed/ J. G. McDonnell
Assistant Commissioner

"Copy"

[illegible]
Excise Assistant Commissioner
in Mysore

[illegible]

SECTION S.R.

FILE NO. 2-80

SER'AL NO. 2

14

No 7909 of 29-9-90
973
L-W

Memorial from
Wayne

to

Interior Dept
dated Nov 4 of 12 Feb 89
Land Office
Requesting that
Land Office may
be instructed to
explain what
rules are now in force
in the C & M States
& in what respects they
differ from those in
force in other parts of
Wayne. Land further
Request that you will
kindly consider
the question in all its
details according to
present rights & submit
as early as possible
a further report if
necessary for action.
2 - As the Excise Commr
is now in correspondence
with the Resident, the
necessary representations

Note have to be addressed
from the Secretaries
Office - The letter addressed
by Col Cambell to
the President has therefore
not been forwarded -
Thanks

3/20/63

29/63

SECTION A (General Serial No. 30)

FILE No. 2.59

SER'AL No. 3 From

189

OFFICE OF THE DEWAN OF MYSORE
9096
6 - JAN. 91
1617

The Excise Commissioner in Mysore.

To

The Chief Secretary to the Dewan of Mysore.

Dated 25th December 1890

Despatched 29th ——

Received

Enclosures No. 4

General No. 3276

No. 183.

Sir,

Recommends the introduction of new rules into the Civil & military station, regulating the sale of foreign liquors.

I have the honour to be,
Sir,
Your most obedient servant,
The Excise Commissioner
in Mysore.

Mr Rushbrooke

Please say whether Government would be prepared to sanction the introduction of the rules noted in the margin.

Rec'd 9/2/91.

Rec'd 4.2.91
713

Referred
4/2/91

Submitted
6/2/91

No 3276
3

Excise Commissioners Office
in Mysore

Bangalore 25th December/90
29

From
The Excise Commissioner
in Mysore

To
The Chief Secretary to the
Dewan of Mysore
Bangalore

Sir,

I have the honor to bring to the notice of the Dewan that the rules published in Notification No 31 of 9th May 1889 regulating in the Mysore Province the Sale of Foreign liquors, are enforced in all the Districts excepting the Civil and Military Station of Bangalore, where the old rules continue. I was however under the impression that this was not the case, and that the recent rules had received the Sanction of the Resident and been promulgated by him for the guidance of the Cantonment Shops. In his letter No 1167/45 dated 9th September 1889, my Predecessor had submitted for Government approval a draft of a letter addressed by him to the Resident recommending the

the introduction of the new rules into the Civil and Military Station. Colonel Campbell's letter forwarded on for further information a note on the Subject drawn up by the Assistant Commissioner, who is of opinion that considerable fraudulent trade of Madras-made country liquor is carried on in the Cantonment to the prejudice of the Mysore Arrack trade.

2. Irrespective of the question of fraud which I have no doubt exists more or less, it is certainly advisable that throughout the Mysore State including the Cantonment tract, there ought to be same rules regulating this trade; and if the Dewan is of my opinion, I would suggest the Resident being addressed on the Subject.

3. I am not quite sure that it is necessary to mention in the license the various brands of foreign liquor. The object of the Mysore Government is to prohibit the vend of Spirits, manufactured in India, Java Ceylone, and Jamaica as foreign, to secure its own arrack revenue and also to protect the interests of its arrack Contractors. It would be quite enough, therefore, if the license contained a clause that

the

the stuff vended is entirely of
Europe, America or Australia, and
is not in any way diluted with
Spirits made in India, Java,
Ceylone and Jamaica. To this
effect the license holder may
be called upon to certify, and
also to furnish the Government with
a similar certificate from the
wholesale Vendors or manufac=
=turers who supply him with
the article. I have an objection
to the naming of the brand
in the License, as, from enquiries
I have made, I find that large
firms like Spencer and Co get
their Spirits out in Casks from
Europe, and bottle them in their
premises without giving them
any special brand, the liquor,
nevertheless, being of genuine
European manufacture without
admixture of country Spirit.
In a case like this a certificate
from the firm that what they
vend is not country Spirit
or any dilution of it might
be accepted, the certificate pro-
viding a heavy penal clause
in case of fraud. If, however
it is considered absolutely nece.
to name the brands in the
License, I would suggest that

every

every brand, provided it covers liquor other than country Spirit, may be permitted to be sold, for, to limit the trade to the brands of Cutter Palmer or any other firms may, perhaps, be encouraging some firms to the prejudice of others.

4. Copies of the License Rules embodying license forms now in force in the Cantonment, are enclosed.

I have the honor to be,
Sir,
Your most obedient Servant

[signature]
Excise Commissioner

icense for Sale of Foreign Spirits and Fermented Liquors of all kinds.
(*Section* 12, *Act XXII of* 1881.)

SHOP LICENSE.

ಷಾಪು ಲೈಸೆನ್ಸ.

I, Collector and Superintendent of E
Revenue, Civil and Military Station of Bangalore, hereby authorize

residing in the Civil and Military Station of Bangalore, to sell by wholesale and retail foreign, spirituous and fermented liquors of all kinds subject to the conditions and restrictions prescribed below, in their shop situated in

I. That do not sell any Batavia or Colombo arrack, or any spirituous or fermented liquors manufactured in the ntry, or in the provinces subject to the Presidency of Fort St. George.

II. That do not sell or rituous or fermented liquors, in a less quantity than one quart bottle, or one t a time.

III. That do not sell nor ind of spirituous or fermented liquors in any quantity whatever, to any Euro commissioned Officer or private Soldier, nor to any European or East Indian nected with, or related to, men of these classes.

IV. That shop shall be a istered in accordance with Section 58 of the Municipal Regulations and th on fee of Rupees fifty for a year or portion of a year be duly paid.

V. This license does not giv for liquor to be drunk on the premises.

VI. That the shop be closed and not opened until 6 A. M., daily.

A breach of any one of the al ions and restrictions, will subject the holder of this license, on conviction bef trate, to fine under Act XXII of 1881, or to the forfeiture of the license, under 3 of Act XXII of 1881, or both.

This license shall continue in e 31st December 188 , and no longer.

OFFICE OF THE COLLECTOR AND
SUPTT. OF EXCISE REVENUE,
CIVIL & MILITARY STATION,
Bangalore, 188 .

Collector and Suptt. of Excise Revenue.

Received from the sum of
Rupees (50) Fifty only on account of Registration Fee for opening the shop in accordance with the above License from to 31st December 188 .

OFFICE OF THE MUNPL. COMMN.
CIVIL & MILITARY STATION,
Bangalore, 188 .

President, Municipal Commission,
Civil and Military Station, Bangalore.

Registered as No. in the Police Office.

Dated

District and Superintendent of Police,
Civil and Military Station, Bangalore.

Mysore Residency Press, Bangalore.—26-2-86.—100.

Enclosure

FORM No. 2.

License for Sale of Foreign Spirits and Fermented Liquors of all kinds (Section 12 of Act XXII of 1881) issued in addition to Form No. 1, for the additional privilege of permitting Liquors to be tasted on the premises.

No. OPENING LICENSE.

ಓಪನಿಂಗ್ ಲೈಸೆನ್ಸ.

I, Collector and Superintendent of Excise Revenue, Civil and Military Station of Bangalore, do grant this License to Merchants residing in the Civil and Military Station of Bangalore in addition to their Shop License No. subject to the conditions and restrictions prescribed below :—

1. That they are permitted to open liquors to be tasted by intending purchasers only in their Shop No.

2. A breach of this condition, will subject the holder of this license on conviction before a Magistrate, to fine under Act XXII of 1881 or to the forfeiture of the license under Section 13 of the Act or both.

3. That they will pay a Fee of Rupees (25) twenty-five per annum or for any portion of the year for the time that this License is granted.

This License shall continue in force till 31st December 188 , and no longer.

OFFICE OF THE COLLECTOR AND SUPTT. OF EXCISE REVENUE, CIVIL AND MILITARY STATION, *Bangalore*, 188 .

Collector and Suptt. of Excise Revenue.

Received from the sum of Rupees (25) twenty-five only on account of Fee for the above License from to 31st December 188

OFFICE OF THE MUNL. COMMN., CIVIL AND MILITARY STATION, *Bangalore*, 188 .

President, Municipal Commission, Civil and Military Station, Bangalore.

Registered as No. in the Police Office.

Dated

District Superintendent of Police, Civil and Military Station, Bangalore.

Mysore Residency Press, Bangalore.—18-2-86.—50.

Enclosure 23.

No. Form No. 3.

License to sell Foreign Spirituous and Fermented Liquors in a Hotel.
(Section 12, Act XXII of 1881.)

HOTEL LICENSE.

ಹೊಟೇಲಿನ ಲೈಸೆನ್ಸ.

I, Collector and Superintendent of Excise Revenue, Civil and Military Station of Bangalore, do hereby authorize

residing in the Civil and Military Station of Bangalore, and keeping an Hotel called the

Hotel, to sell by wholesale and retail therein, foreign spirituous and fermented liquors of all kinds, subject to the conditions and restrictions prescribed below in the Premises No.

I. That do not sell any Batavia or Colombo arrack, or any spirituous or fermented liquors manufactured in the Mysore country, or in the provinces subject to the Presidency of Fort St. George.

II. That do not sell nor give any kind of spirituous or fermented liquors in any quantity whatever, to any European non-commissioned officer, or private soldier, nor to any European or East Indian woman, connected with, or related to, men of these classes, nor allow him, her, or them to drink liquor of any description in premises or grounds.

III. That do not fraudulently dilute or adulterate such spirituous or fermented liquors as aforesaid, or sell the same, knowing the same to have been fraudulently diluted or adulterated; and do not knowingly permit drunkenness or other disorderly behaviour in the said Hotel or premises; and do not knowingly suffer any gaming whatsoever therein; and do not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; and do not wilfully and knowingly harbour or conceal therein any European soldier who is a deserter; and do not permit any spirituous or fermented liquor to be conveyed from or out of the said Hotel premises.

IV. That Hotel shall be registered in accordance with Section 58 the Municipal Regulations, and the registration fee of Rupees fifty per annum, or f any portion of the year for the time this license is granted, be duly paid.

A breach of any one of the above conditions and restrictions will subject the holder of this license, on conviction before a Magistrate to fine under Act XXII of 1881, or to the forfeiture of the license under section 13 of the Act, or both.

This license shall continue in force till the 31st December 188 , and no longer.

OFFICE OF THE COLLECTOR AND SUPT. OF EXCISE REVENUE, CIVIL AND MILITARY STATION.
Bangalore, 188 .

Collector and Supt. of Excise Revenue.

Received from the sum of Rupees (50) fifty only, on account of registration fee for the opening the Hotel in accordance with the above license from to 31st December 188 .

OFFICE OF THE MUNL. COMN., CIVIL AND MILITARY STATION.
Bangalore 188 .

President, Municipal Commission, Civil and Military Station of Bangalore.

Registered as No. in the Police Office.

Dated

District Superintendent of Police, Civil and Military Station, Bangalore.

Residency Press, Bangalore.—5-12-88—30.

Enclosure to 43

FORM No. 4.

License for the Retail Sale of Foreign Spirituous and fermented liquors in a Refreshment Room. (Section 12 of Act XXII of 1881.)

REFRESHMENT ROOM LICENSE.

ರಿಫ್ರೆಷ್‌ಮೆಂಟ್ ರೂಮು ಲೈಸೆನ್ಸ್.

Register No.

Name of License-holder.

Name of Shopmen.

Locality of Shop

I, Collector and Superintendent of Excise Revenue, Civil and Military Station of Bangalore, do hereby authorize

residing in the Civil and Military Station of Bangalore, to keep a Refreshment Room in the premises No.

Street in the Civil and Military Station of Bangalore, and therein to sell by retail all foreign spirituous and fermented liquors under the following conditions:—

I. That the said premises be an open shop and so constructed that all persons inside it be visible to any one at the door or windows, and that it shall not give entrance to any inner room or yard.

II. That the Board be fixed in a conspicuous position outside the shop, on which shall be legibly printed the number of the shop, name of license-holder and shopman, and the description of liquor sold therein.

III. That no Batavia or Colombo arrack or any spirituous or fermented liquors manufactured in the Mysore Province, or in the territories subject to the Presidency of Fort St. George, be sold therein, except doubled distilled spirit at proof and over proof manufactured in the distillery at Bangalore.

IV. That all liquor be sold in small quantities as refreshment and drunk in the shop, and that none be conveyed out of the shop on any pretence whatever.

V. That all sales of liquor be paid for in ready money, no credit being allowed, or any articles received in pledge or barter for liquor.

VI. That do not sell nor give any kind of spirituous or fermented liquor in any quantity whatever, to any European non-commissioned officer, or private soldier, or to any European or East Indian woman, connected with or related to men of these classes.

VII. That no adulterated or diluted liquors be sold on the premises.

VIII. That this license and the shop accounts be at all times open to the inspection of a Magistrate, or any officer acting under his orders, and that a monthly abstract be punctually kept in the shop showing, under proper headings, the quantity of liquor of all kinds received, disposed of, and remaining in hand.

IX. That the shop be closed at 9 P. M., and not opened until 6 A. M.

X. That no drunkenness, or disorderly behaviour or gaming, be permitted on the premises, and that no prostitutes or persons of notoriously bad character be permitted to meet or remain therein.

XI. That Refreshment Room shall be annually registered in accordance with Section 58 of the Municipal Regulations, and the registration fee of Rupees fifty per annum or for any portion of the year for the time this license is granted be duly paid.

XII. That the license-holder shall be personally liable for the observance of all these conditions by himself and all others employed or acting in any capacity whatever in the shop, and that any breach of the same shall subject him and them, on conviction before a Magistrate, to fine under Act XXII of 1881, or to forfeiture of the license under Section 31 of the Act, or both.

This license shall (subject to the due observance of all the conditions) continue in force until 31st December 189 , and no longer.

Provided it may, before that date, be recalled by the undersigned under Section 13 of Act XXII of 1881, or the license-holder may surrender his license on giving one month's previous notice under the provision of Section 14 of the Act.

Office of the Collector and
Suptt. of Excise Revenue,
Civil & Military Station.
Bangalore, *189* .

Collector and Suptt. of Excise Revenue.

Received from the sum of Rupees (50) fifty only, on account of registration fee for opening the Refreshment Room in accordance with the above license from to 31st December 189 .

Office of the Munl. Commn.,
Civil and Military Station.
Bangalore 189 .

President, Municipal Commission,
Civil and Military Station of Bangalore.

Registered as No. in the Police Office.

Dated

District Superintendent of Police,
Civil and Military Station, Bangalore.

Residency Press, Bangalore.—14-5-90.—30.

SECTION 5.

FILE No. 2.2.5

SER[illegible] No. 4

(General Serial No. 30).

1891.

From The Asst to the Resident in Mysore

To

Dated 29 January 1891

Despatched

Received

Enclosures No. 1

General No. 197

No. 296-9

OFFICE OF THE
9553
15 JAN. 91
697
DEWAN OF MYSORE

Forwarding copy of letter from Messrs Spencer & Co regarding a general order issued by the Excise Commr prohibiting traders in the Province from selling any brand of liquor except those and requesting to have the opinion of the Durbar on the points raised.

Send copy of letter & enclosure to the Excise Commr for report

Cy

20/1/91

No. 197 / 296·9 Sn/

FROM

THE ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 20th January 1891.

SIR,

I am directed to forward a copy of a letter dated the 8th January 1091 from Messrs Spencer & Co., Bangalore, and of its enclosure, and to say that the Resident will be glad to have your opinion on the points therein raised together with any explanation you may think fit to require from the Excise Assistant Commissioner or the Deputy Commissioner of Kadur.

I have the honour to be,
Sir,
Your most obedient servant,

L. S. Newmarch
Asstt to the Resident

Enclosure to 884

Bangalore, 6th January 1869.

To,

The Assistant Resident in Mysore,
Bangalore.

Sir,

We have the honor to bring to your notice a general order (of which the enclosed is a copy) issued by the Excise Assistant Commissioner in Mysore. As you will observe, traders in the province are prohibited from selling any brands of liquor except three, which have been approved by the Assistant Commissioner.

2. In our opinion such an order is opposed to the principles of Free trade, it trenches upon the liberty of the individual and creates a monopoly where such a thing should not exist.

3. If this is allowed to pass unchallenged, there will be an end to all European trade in liquor, and it will cause great inconvenience to travellers, Planters, Riders and others who will not be able to purchase the brands of their choice except in the Civil and

Subsidary Station.

But apart from other considerations we would respectfully submit that there is a clause in the Rendition Treaty which renders necessary the consent of the Governor General in Council before an order so materially affecting the commerce of British subjects can be passed.

We would therefore respectfully request that you would give this matter your consideration and that you will take such steps as you may deem advisable to have this order rescinded in the interest of the trade in general.

We have &c.

Pigg Spencer & Co.

(General Serial No. 30)

From The Excise Assistant Commissioner in Mysore

To, Messrs. V. Veeraraghava Dass & Son
Licensed Vendors of Foreign Spirituous & Fermented Liquors
Chickmagalur Town

Genl. No. 7. Dated 10th October 1890.

Messrs. Veeraraghava Dass & Son are informed

P 76.

informed that they are hereby given the time as per margin to sell the spirits indicated and are strictly warned not to add to the stock or brands, as found on the 10th instant, of these or any other unauthorised brands.

2. If after the dates indicated they sell these or any but the authorized brands named in his License they will be prosecuted for a breach of the License rules and the liquors so sold in contravention of the rules or retained for ~~such~~ sale will be confiscated as contraband.

3. The Deputy Commissioner has authorised the three Kinds of spirits named in the margin.

Briquit Boubouche Cognac
Etienne Cognac
Jno: Crabbies Whisky.
} being added to the License and sold.

and declines to add any more on the list.

Jeigg McDowell
Excise Asstt. Commissioner
in Bayfore.

No.	Name & description of Brands.	Stock in hand on the morning of 10th October 1890.	Probably monthly sales.	Time given to dispose of
1	Scotch Whisky	61	53	One month & fifteen days
2.	Imperial Highland—			
3.	Old Glenlivat —	34	23	— Do —
4	Legded Brothers	1	4	Fifteen days
5	Irish Brandy	36	5	By 31st March 1891.
6.	Household Brandy	23	4	— Do —
7	Cordial Old Jam. Boord & Sons	9	2	Four months
8	Old Rum.	6	1	By 31st March 1891
9	English Beer Gravity	220	17	— Do —

Copy

Henry Clarke

Registrar.

11651 / 1533 y 22/23 -1-91

Coun

FILED IN [illegible]

SUBJECT NO. 5

The Excise Commr
in Mysore

Sir

I am directed to for-
ward for favr y early
report the accompanying
copy y a letter dated 8 Jany
1891 addressed by Messrs
Spencer Co. y Bangalore to
the assistant to the Resident
and y its enclosure regarding
the prohibition y any brand
y European liquor except those which
have been approved y by the
Govt

Sd M T Row
Shaver

Al
Mutty

(General Serial No. 30).

189 1 .

From

To The Excise Commissioner in Mysore

Dated 29 — 1 — 91

Despatched

Received

Enclosures No.

General No. 1651

No. 1533

Forwarding for report copy of a letter dated 8-1-91, addressed by Messrs. Spence and Co. of Bangalore to the Assistant Resident, about the prohibition of any brand of European liquor except those approved of by Deputy Commr. of Kadur.

(General Serial No. 31.)

OFFICE OF THE
11439
12 MAR. 91
2043
DEWAN OF MYSORE

SECTION

FILE No. 9-50

SER'AL No. 6

From

The Excise Commissioner in Mysore.

To The Chief Secretary to the Dewan of Mysore.

Dated 10th March 91

Despatched 11th

Received

Enclosures No. 1

General No. 3786

No. 229.

Subject Expressing his opinion with regard to the sale of Foreign liquors in Mysore

Yours obedt
Servt
Secretary
Please publish address
Excise Commissioner
as
4/3/91

No: 3786/229. one 1

Excise Commissioner's Office
Bangalore, dated 10th March 1891.

From

The Excise Commissioner
in Mysore.

To

The Chief Secretary
to the Dewan
of Mysore.

Sir No 11651/1533

Nos: 11651/1533 & 13720/1801 dated 23rd January and 7th March 1891.

reminded to I have the honor to reply to your letters as per margin in re sale of foreign liquor.

2. I invite your attention to the rules in force which lay down that the Mysore Vendors shall sell foreign liquor of approved brands, and that the Deputy Commissioner is empowered to add to the brands named in the rules.

3. The expression "Approved brands" gives room for discussion and dispute. Approved by whom is often the question, and the Mysore Government cannot, for obvious reasons, lay down a list

list of brands and exclude liquor of all other description. It would be creating a monopoly in favor of some brands to the exclusion of others equally as good or bad, as wholesome or injurious as those mentioned in the list. Again, almost every month new brands are advertised which cannot be kept out of the province without any reason.

4. The object of the Mysore State is to secure the sale within the province of liquor ~~wholesale~~ of foreign manufacture not diluted with the liquor of Indian manufacture, and if the Deputy Commissioners are satisfied on this point they ought to include every brand for which there might be sale. In conversation with the Dewan I gathered that this was his opinion, and that he did not wish to create a monopoly in favour of any brand of any particular manufacturer or merchant

5. Messrs Leighton Hes. Messrs

Ker Dowell Hes

Mr Worrall Hsq and Messrs Cutler Palmer Hsq wrote to me on this same subject, and I enclose copy of their letters, my answers to them and my instructions to the Deputy Commissioners for reference.

5. With regard to the complaint of Messrs Spencer and Co; I would suggest that similar reply may be given - that the Deputy Commissioners have authority to add to the brands in the license, provided the brands to be so added represent true foreign undiluted liquor.

I have the honor to be,
Sir,
Your most obedient Servant,

R. Vijayendra Rao
Excise Commissioner
in Mysore.

Enclosure 1 to 87

Mc Dowell & Co
Madra

Madras 10th October 1890

To
The Excise Commissioner
Mysore

Sir

We understand that the Sale of foreign liquors in your District is restricted to certain Brands enumerated in the Licences granted by you to Licence holders.

This Schedule does not cover all the brands for Sale in our Godowns and General Shop Keepers who are dealing with us have called our attention to the fact.

Would you oblige us by allowing Licence holders to keep for Sale any liquor which they may procure from us, or would it be necessary to mention each brand and to have its name added to the Licence?

We also hear that it is your intention to class Rums as Country Spirit and as such to subject it to taxation. We would mention that all our Rums are imported from West Indies and should therefore be looked upon as foreign liquor. We shall feel obliged by your letting us have a favorable reply at your early convenience

We have &c
(Signed) Mc Dowell & Co

Madras

Enclosure 2 to 81

Cutter, Palmer & Co Madras 12th December 1890

To
The Excise Commissioner
Mysore Government
Mysore

Sir

We have received a communication signed by the principal Mysore traders who are large buyers from us, enclosing a copy of a letter No 851 from the Excise Assistant Commissioner in Mysore to all Europe Shop Keepers. With this is a list of brands authorized by the Deputy Commissioner, and against several of these, of which we are the Agents or Proprietors, a note appears in these terms, "Subject to agreement with Sample to be obtained from the manufacturer The Shop Keepers who address us are not clear as to who is meant by the "manufacturer". We understand it that in wines or spirits bearing our label the Samples are required to be obtained from our Office here, and also that in the case of such brands for which we are Sole Agents, Samples obtained from us as representing the manufacturers or proprietors in Europe, are all that is necessary. We shall be glad to learn if this interpretation is correct, and if so we would beg that all shop keepers

in

in the Province of Imyre [illegible] agreed
accordingly as early as possible.

We have however also to
draw your attention to the fact
that a good number of brands
of Whisky, Brandy &c that we
represent as Agents or Proprietors
are omitted from the list of
authorized brands. Several of these
brands are purchased to a greater
or less extent by Imyore traders
and the embargo now placed on
them will mean a considerable
loss of business both to them and
us. Besides this, and this is of
much greater importance to us,
the fact of such embargo being
placed on brands of ours would
seem to imply a distrust in the
quality of these brands, and would
consequently be a reflection on
our good name. Our position
as Wholesale merchants, who
have been established in India
since 1842, and whose London
Office has been in existence since
1815, should, we claim, entitle all
our brands and those for which
we are agents, to entire confidence
as representing the best value
obtainable for the prices charged.
We therefore trust you will see
fit to include in the list of
authorized brands all those appearing
in our list, of which we beg to send
you

you a copy under separate cover.

Awaiting the favor of an early reply.

We have &c.
(Signed) Cutter Palmer & Co

To
No 3278/98 } "
No 3277/97 } of 24/29/12/90.

Messrs Ince Dowell & Co ×
Cutter, Palmer & Co ⊗
Madras

Their letter of the 10th October 1890 ×
" 12th December 1890 ⊗

In reply informs that under Condition II (a) of the licence rules the Deputy Commissioners of Districts being competent to add to or otherwise alter the list of brands appended to the Licence, applications on the subject should be addressed to the Deputy Commissioners.

(Signed) R. Vijayendra Row.
Excise Commissioner

Ince Dowell & Co Madras 30th December 1890.

To The Excise Commissioner
of Coimbatore District
Coimbatore.

Sir

We are in receipt of your letter No 3278/98 dated 24th December Instt. and duly note contents.

We have already addressed the Deputy Commissioner on the subject and annex over leaf a copy of his reply.

We.

We shall now be glad to have your favorable reply.

We have &c
(Signed) Inesdowell & Co

From
The Deputy Commissioner
Umpore District

To Messrs Inesdowell & Co
Madras.

No. 2438 dated 7th October 1890.

Their letter of the 2nd Instant requesting to grant permission to the Foreign liquor Shop Keepers in Umpore to vend any liquors of their firm which are not of the brands mentioned in their licences &c.

In reply has the honor to state that it will be better for them to address the Excise Comm^r in Umpore on the subject. The undersigned personally has no objection to allow license holders to keep for sale any liquor which they may obtain from Messrs Inesdowell and Co. but the orders do not allow of it.

(Signed) ———
Dy Commissioner
Umpore Dist^t

To
The Deputy Commissioner
Umpore District

Dated 8th January 1891.

No 3322/165.

Sir

Sir

With reference to the concluding portion of your letter No 2438 of the 7th October 1890 to Messrs Burn Dowell & Co Madras, I have the honor to state that, if you consider that any liquor which the Shop Keepers may obtain from the above firm is genuine "Foreign liquor" manufactured in Europe, America or Australia, and that none of it is "Country liquor" manufactured in Java, Ceylon, Jamaica and any place whatever in India &c, I have no objection to your making necessary additions in the Licenses under Condition II (a) of the License Rules.

I have &c
(Signed) R. Vijayendra Row
Excise Commissioner

No 3323 dated 8th January 1891.
99.

Official Memorandum.

Copy of the foregoing is forwarded to Messrs Burn Dowell & Co, Madras with reference to their letter dated 30th December 1890.

(Signed) R. Vijayendra Row
Excise Commissioner

Leighton & Co. Madras 30th January 1891

To
The Excise Commissioner
Mysore Province
Bangalore

Sir

Sir

We have the honor to bring to your notice that in consequence of the liquors for which we are agents not being on the list prescribed by your Government for sale in Singore Province we have had Several complaints from Native merchants that they could not supply their constituents

We Shall feel much obliged if you will Kindly have the following liquors added to the list for consumption in Singore.

James Craig's Whisky
Glasgow Blend "
Lucien Foncaild's Brandy
Gernier Freres Brandy
Lyndon & Barton's Irish Whisky

We enclose a price list for your information.

We have &c
Leighton & Co.

To
The Deputy Commissioners
of Districts

Dated 23/24 th February 1891.

Circular No. 3668/104.

Copy of the foregoing is forwarded to the Deputy Commr. ——— District with a request that the liquors therein named may be added to the lists of brands

brands in the licences, provided he is satisfied that the brands represent "Foreign liquor" and not "Country liquor" manufactured in India, Java, Ceylon, Jamaica &c.

(Signed) R. Vijayendra Row
Excise Commissioner

Ero 3669
107

Official Memorandum

Copy of the foregoing is forwarded to Messrs Leighton & Co Madras for information.

(Signed) R. Vijayendra Row
Excise Commissioner

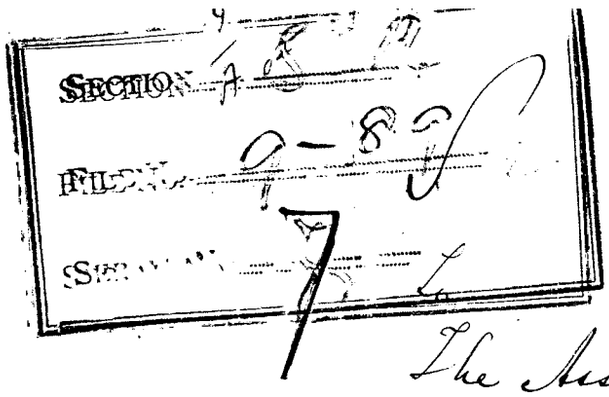
From
The Deputy Commissioner
Tumkur District

To The Excise Commissioner
in Bangalore

Ero 1320 dated 19th February 1891.

Has the honor to forward herewith in original (to be obligingly returned) letter of the 16th Instant from Messrs Cutter, Palmer & Co, Madras requesting that the whole of the brands appearing in the list appended thereto may be mentioned in our licences for the vend of foreign liquor - Begs to be favored with his advice in the matter - There are only two shops in the District licensed to vend such articles, one in the Town of Tumkur and the other in the Tumkur Railway Station.

(Signed) B. K. Venkataiyangar
Dy Commr



The Assistant to the Resident
in Mysore
" The Excise Copyist
Dated 7th April 1891

R No. 1144/4 & 145/15.

Intimating, with reference
to Messrs Spencer & Co's Memoran-
-tation re Sale of foreign
liquor in Mysore, that
the license rules & forms
in force in Mysore have been
misconstrued & printing
act to Messrs Spencer & Co.
their line of procedure if they
wish to introduce their liquors
& Examining other Madras Firms
also pointing out the desirability
of the license rules & forms in
force in Mysore being adopted,
at an early date, for the C & M
Stn also.

R No. 145/15 of 3-4-91
Copy & Enclosure

45

(1)

To,

The Assistant to the
Resident in Mysore

Sir,

I am directed to
reply to your letter No. 197/296-9
of the 20th January last,
regarding the representation
made by Messrs: Spencer
and Co. that traders in
the Mysore State (outside
the Civil and Military Station)
are prohibited from selling
any brands of foreign
liquor other than those
which have been approved
by the Excise Assistant
Commissioner, and that
this in effect creates a
monopoly in favor of
some brands to the

exclusion of the rest.

2. I am to observe that the license rules and forms* in force in Mysore do not admit of this construction. It will be observed that the list appended to the licenses in the first instance is liable to be added to or altered as circumstances may require, at the discretion of the Deputy Commissioner of the District who issues the licenses. If, therefore, a brand of genuine foreign liquor, which is not named in the license, is desired to be sold, all that is required to be done is to make

* Copy annexed

an application to the Deputy Commissioner who will add it to the list, if he is satisfied that the liquor has been really manufactured in Europe, America or Australia, and is in no way diluted with country liquor manufactured in Java, Ceylon, Jamaica or India. Any error or omission on the part of the Deputy Commissioner in this respect will be rectified by the Excise Commr. as the Chief Executive Head of the Department.

Messrs. Cotton, Palmer & Co.,

Messrs. McDowell and Co.

and Messrs: deuchton & Co.
of Madras, who lately
wished to have the
liquors for which they
were agents included in
the aforesaid list, applied
to the Excise Commissioner,
and got an order issued
by him to the Deputy
Commissioners to the
effect that they were at
liberty to add the names
of such brands, provided
they were satisfied that
the liquors which they
represented were of genuine
foreign manufacture,
with no admixture of
Country-made liquor.
A similar course may,
I am to suggest, be
followed by Messrs Spencer & Co

3. To prevent possible misapprehension the Government have modified the Notification of 9th May 1889 by a Notification of this day copy of which is annexed.

4. The object of the Government in requiring every holder of a license to vend only certain specified well known brands of genuine foreign liquor (with liberty to add to the number) is the prevention of fraudulent attempts at placing in the market, in lieu of genuine foreign liquor, Country Spirits and Country liquor disguised

very counterfeit foreign labels. The Notification of 9th May 1889 has secured this object to a very great extent.

5. I am to take this opportunity to bring to your notice that a similar system has not as yet been adopted for the Civil and Military Station, and as a result, it is reported, a large trade in spurious European liquor is being openly carried on to the detriment of arrack revenue and to the prejudice of the people and of genuine foreign liquor. The subject has already engaged the

attention of both Sir Harry Prendergast and Colonel Sir Oliver St. John, and I am therefore directed to take this opportunity of requesting you to place before the Resident the desirability of the license rules and forms in force in Mysore being adopted at an early date for the Civil and Military stations also. -

I have &c

A S

3/4/91

Under Secretary

No. 145/15 Dy 3.4.91

Copy to Excise Commr.